

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANTHONY LOMBARDO,

Plaintiff,

MEMORANDUM AND ORDER

- v -

CV-10-2908 (CBA)(VVP)

BRANDYWINE ASSISTED LIVING AT
THE SAVOY, LLC, et al.,

Defendants.
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The parties have submitted a Stipulated Protective Order for execution by the court. The court declines to enter the proposed order as written because the breadth and vagueness of the description of the information that may be made subject to the order gives virtually unlimited discretion to counsel and the parties to designate any documents and other information to be subject to the order without making a showing of good cause as required by Rule 26(c) of the Federal Rules of Civil Procedure. Accordingly, the court has stricken the portion of the order that is overbroad and objectionable – specifically subparagraph 1(a)(i), but leaving protection for subparagraphs 1(a)(ii) and (iii). The parties may seek by letter motion to make additional information, or categories of information, subject to the order. Any such motion must describe the information with specificity and make a showing of “good cause” for an order preventing disclosure “to protect a party from annoyance, embarrassment, oppression or undue burden or expense.” Fed. R. Civ. P. 26(c)(1).

SO ORDERED:

Viktor V. Pohorelsky

VIKTOR V. POHORELSKY
United States Magistrate Judge

Dated: Brooklyn, New York
March 17, 2011